

**ADOPTED REGULATION OF THE COMMISSION ON
PROFESSIONAL STANDARDS IN EDUCATION**

LCB File No. R068-06

Effective June 1, 2006

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 391.019 and 391.040.

A REGULATION relating to education; increasing the fees for an application for a teacher's license or endorsement; and providing other matters properly relating thereto.

Section 1. NAC 391.045 is hereby amended to read as follows:

391.045 1. An applicant for the initial issuance of a license as a teacher or other educational employee must submit with his application:

- (a) His official transcripts;
- (b) Evidence that he has successfully completed:

- (1) At least 3 semester hours of credit in a course of study regarding education or curricular adaptation for pupils with disabilities; or

- (2) An in-service or continuing education course regarding education or curricular adaptation for pupils with disabilities that is approved by the Department; and

- (c) Except as otherwise provided in NAC 391.0565, a fee of ~~[\$65,]~~ ***\$110***, plus the amount charged by the Federal Bureau of Investigation and the Nevada Highway Patrol Division of the Department of Public Safety for their reports on the applicant's fingerprints. The fee does not include the cost of any examination required by NAC 391.036.

2. If the applicant is not eligible for licensure, the fee will not be returned. The applicant must pay another fee if he applies again.

3. An applicant for an endorsement to an existing license or for an additional license must submit with his application:

(a) Current official transcripts; and

(b) A fee of ~~[\$45.]~~ \$50.

4. The academic credits required to obtain initial licensing or an endorsement to an existing license are not satisfiable by the completion of courses offered by a provider of continuing education, but those courses may be used for the renewal of a license.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R068-06

The Commission on Professional Standards in Education adopted regulations assigned LCB File No. R068-06 which pertain to chapter 391 of the Nevada Administrative Code on May 11 2006.

Notice date: 4/5/2006

Date of adoption by agency: 5/11/2006

Hearing date: 5/11/2006

Filing date: 6/1/2006

INFORMATIONAL STATEMENT

1. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.

Notice of Workshop to Solicit Comments on Proposed Regulations was sent to approximately 100 individuals and educational organizations. A workshop was held on May 11, 2006. There were public no comments.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of the amendments to NAC 391.045 – Application for License or Endorsement was sent to approximately 100 individuals and educational organizations. The public hearing was conducted on May 11, 2006 to provide the opportunity for comments by affected parties and the public. There were no public comments. The Commission adopted the proposed amendments to the regulation.

2. The Number of Persons Who:

a) Attended Each Hearing: First Workshop: 7; First Hearing: 7; Second Hearing: N/A

b) Testified at Each Hearing: First Workshop: 0; First Hearing: 0; Second Hearing: N/A

c) Submitted Written Statements: First Workshop: 0; First Hearing: 0; Second Hearing: N/A

A copy of any written comments may be obtained by calling Christina Harper, Administrative Assistant to the Commission on Professional Standards in Education, Nevada Department of Education, 775-687-9226, or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

3. A description of how comments were solicited from affected businesses, a summary of the response and an explanation how other interested parties may obtain a copy of the summary.

Comments were solicited through the workshop notice of April 5, 2006 and the public hearing notice of April 5, 2006. At the May 11th Workshop to Solicit Comments, there were no public comments to the proposed amendments to the regulation language. At the May 11, 2006 Public Hearing there were no public comment to the proposed amendments to the regulation language.

Summary of Comments:

Workshop/Public Hearing Comments:

- (a) There were no comments.

A copy of the summary and/or minutes of the public hearing may be obtained by calling Christina Harper, Administrative Assistant to the Commission on Professional Standards in Education, Nevada Department of Education, 775-687-9224, or by writing to the Nevada Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

4. If the regulation was adopted with or without change to any part of the proposed regulation, a summary of the reasons for adopting.

The Commission on Professional Standards in Public Education adopted the proposed amendments to the regulation language at the public hearing held May 11, 2006. The reason for adopting the regulation is to increase fees in order for the Office of Teacher Licensure to remain fiscally active and viable.

5. The estimated economic effect of the adopted regulation on the business that it is to regulate and on the public. These must be stated separately and each case must include:

The beneficial economic effect is that it will allow the Office of Teacher Licensure to continue to operate with staff and issue licenses for teachers. There estimated economic effect on the public will be that the fee will initial license fee will increase from \$65 to \$110 and the additional endorsement fee will increase from \$45 to \$50. This could affect someone fiscally for their initial license fee.

6. The estimated cost to the agency for enforcement of the adopted regulation.

There is no additional cost to the agency for enforcement of this regulation.

7. A description of any regulations of other state or governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

No other state or governmental agency regulations will be overlapped or duplicated by the above noted regulation. There is no duplication or overlap of federal regulations.

8. If the regulation includes provisions which are more stringent than a federal regulation, which regulates the same activity, a summary of such provisions.

There are none.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

This regulation does provide for a new fee or increase an existing fee. The projected amount the Department of Education expects to collect with this fee increase is \$239,820.00. This represents a 22.15% percentage increase. The increase will be used to keep the Office of Teacher Licensure fiscally viable and continue to review application and issue licenses.